

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

CHRISTOPHER SPANN

CRIMINAL ACTION FILE NO.

1:23-CR-00141-JPB

REPORT AND RECOMMENDATION
AND ORDER

This matter is before the Court on a Violation Report, Petition, and Order for Warrant for Offender Under Supervision (“the Petition”), signed by the district judge on January 2, 2024. [Doc. 2].

On September 9, 2024, Defendant appeared before me at an initial appearance. I detained him pending his final revocation hearing noting: “Defendant has been noncompliant with supervision and has no place to go right now. He has not submitted to his mental health assessment. Needs mental health treatment.” [Doc. 8]. Following several consented-to continuances, a preliminary hearing and final revocation hearing were both scheduled for January 15, 2025. Prior to that date, the parties then came to an agreement regarding the outcome of the case, and the district judge agreed that the final hearing could be held before me. A draft of this Report and Recommendation

was circulated to the parties in advance of the hearing, and the Defendant agreed to waive the objection period, with the intention that the district judge would rule upon my recommendations at its earliest convenience.

The Petition alleges that Defendant violated multiple conditions of supervised release. [Doc. 2]. On January 15, 2024, I conducted a hearing, at which the Government presented evidence regarding the alleged violations and moved to revoke Defendant's supervised release. Given the amount of time that Defendant has spent in custody, however, the Government stated that justice would be served by imposition of a time-served sentence, with no supervised release to follow. Defendant did not contest the alleged violations and urged the Court to follow the Government's suggestion.

After consideration of the evidence presented at the hearing and the arguments of counsel, I make the following recommendations.

IT IS HEREBY RECOMMENDED that Defendant's supervised release be **REVOKED**; that the Court impose upon Defendant a sentence of **TIME SERVED**, based on the time Defendant has spent in the custody of the U.S. Marshals; and that Defendant's custodial sentence be followed by **NO TERM OF SUPERVISED RELEASE**.

I find that Defendant should be released pending the district judge's review and consideration of this Report and Recommendation. Accordingly, it is **ORDERED** that the United States Marshal Service immediately release Defendant.

SO ORDERED this 15th day of January, 2025.



HONORABLE CATHARINE M. SALINAS
UNITED STATES MAGISTRATE JUDGE